

ALLOWANCE

Rejoinder

1. The restriction between the elected product of Group I, and the processes of Groups XXI, XXXI, XXXII, XXXIII, and XLIII is withdrawn (see restriction requirement mailed on Sept. 17, 2007). The Applicant agreed to amend the process claims to be of the same scope as the amended product claims (see interview summary).

Information Disclosure Statement

2. The information disclosure statement submitted on Aug. 8, 2008, has been considered. The examiner corrected the entry for one of the items on page 2. The correction has been initialed and dated.

EXAMINER'S AMENDMENTS

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Martin Moynihan on Aug. 26, 2008.

The application has been amended as follows:

Claims 5, 9-11, 13, 14, 17, 20, 23, 24, and 27-52 are cancelled without prejudice.

IN THE CLAIMS:

Claims 9-11 (Cancelled)

12. (Currently Amended) A method of producing a polypeptide of interest in plant trichomes, the method comprising [[:]]
(a) ~~expressing the polypeptide of interest in the plant trichomes; and~~
(b) ~~down-regulating a level of at least one molecule endogenous to the plant trichomes, said at least one molecule being capable of interfering with expression, accumulation or stability of the polypeptide of interest~~

transforming a plant with the construct of claim 3; wherein the heterologous polynucleotide encodes said polypeptide of interest, and growing the plant so that the polypeptide is produced.

Claims 13 and 14 (Cancelled)

15. (Currently Amended) The method of claim 13 12, wherein the polypeptide encoded by said nucleic acid sequence encoding the polypeptide of interest heterologous polynucleotide further encodes comprises a peptide capable of directing transport of the polypeptide of interest fused thereto into a subcellular compartment of the plant trichomes.

Claims 17-20 (Cancelled)

21. (Currently Amended) A method of producing a molecule of interest in plant trichomes, the method comprising [[:]]

(a) expressing a polypeptide capable of directly or indirectly increasing a level of the molecule of interest in the plant trichomes; and
(b) down-regulating a level of at least one molecule endogenous to the plant trichomes, said at least one molecule being capable of interfering with accumulation or stability of the molecule of interest

transforming a plant with the construct of claim 3; wherein the heterologous polynucleotide encodes a polypeptide capable of directly or indirectly increasing the level of the molecule of interest, and growing the plant, thereby producing the molecule in the plant trichomes.

Claims 23 and 24 (Cancelled)

25. (Currently Amended) The method of claim 23 21, wherein the polypeptide encoded by said nucleic acid sequence encoding the polypeptide of interest heterologous polynucleotide further encodes comprises a peptide capable of directing transport of said the polypeptide fused thereto into a subcellular compartment of the plant trichomes.

Claims 27-52 (Cancelled)

Summary

4. Claims 1-4, 6-8, 12, 15, 16, 18, 19, 21, 22, 25, and 26 are allowed and are renumbered as claims 1-16, respectively.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cathy K. Worley whose telephone number is (571) 272-8784. The examiner is on a variable schedule but can normally be reached on M-F 10:00 - 4:00 with additional variable hours before 10:00 and after 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg, can be reached on (571) 272-0975.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Cathy K. Worley/
Patent Examiner, Art Unit 1638